

THE MARYLAND WILDLIFE ADVISORY COMMISSION  
MINUTES – FEBRUARY 19, 2003

Vice Chair Lowell Adams called the meeting to order at 9:40 a.m. without a quorum.

**Approval of Minutes from October 2002 Meeting and November Meeting**

- October meeting minutes and November meeting minutes are deferred to the next meeting.

**Legislative Update**

- Presentation by Paul A. Peditto, Director of Wildlife and Heritage Service
- Provided a brief summary on environmental bills for the Wildlife and Heritage Service
  - 1) SB 103 Migratory Game Bird Stamps: This bill will eliminate the requirement for possession of a physical Maryland Migratory Game Bird Stamp to hunt migratory birds. The new structure will print out that the hunter purchased the Migratory Game Bird Stamp and the validation on the license will be sufficient to satisfy the law. This process will assist with making the complimentary license and stamps available through the website or through the telephone system. There will be a surcharge for using the telephone system. SB 103 has passed through the Senate Committee.
  - 2) SB 104 Hunting Licenses – Waterfowl Outfitter and Hunting Guide: This bill is a product of the Wildlife Advisory Commission. The intent of this bill is to raise the standards for the Outfitters and Guides. The bill gives authority for the Department to establish regulation to ultimately allow us to revoke the licenses of the violators and fine up to \$ 1,000 per incident. The intent is to hold the individual accountable; consequently, it can affect the violator and/or the outfitter. Also, included in the bill are safety elements. SB 104 has passed through the Senate Committee.
  - 3) HB 133 Transportation of Deer Carcass-Restrictions: This bill would require that any deer being transported by a hunter must be in a pick-up truck with the tailgate up or cover the carcass when outside of the vehicle. The sponsor agreed to work with Wildlife and Heritage Service (WHS). The sponsor has not officially withdrawn the bill but the sponsor postponed the hearing indefinitely.
  - 4) HB 573 Hunting – Private Property: This bill would require the landowners that permitted hunting on their property to post signs saying “No Hunting or Hunting Allowed.” A letter went to the sponsor explaining that most of what the sponsor was trying to do is already provided in the law.
  - 5) HB 389 and SB 421 Complimentary Hunting Licenses – Hunting: These bills basically, clarify the current statute. When we changed the licenses and stamps structure, some of the individuals had to purchase the bow stamps and the muzzleloader stamps. The intent was to provide these stamps on a complimentary basis, having the law did not provide authorization for that. As a result, Bruce Gilmore, Director of Licensing and Registration Service issued an administrative letter authorizing the complimentary stamps for this year. The Department will be supporting the Senate version of the bill.
  - 6) HB 337 Deer Hunting – Length of Firearm Season: This bill would mandate 21 additional days. We have been working with the sponsor, and the sponsor agreed to draft an amendment that will remove the language, “shall have twenty-one days” to “may have up to twenty-one days” with the discretion of the Department. We will support the bill with the amendment.
  - 7) HB 679 Expanded Deer Management: This bill would allow Sunday Hunting during the months of November and December for archery and firearm seasons. We completed analyzing our harvest data and our findings are that we can adjust the firearm and archery harvest for that segment of time from 50,000 to approximately 70,000. There will be no Sunday hunting on public lands and in Region C.
  - 8) HB 365 and SB 272 Leghold Traps – Prohibition: Today, the House version will be heard. The Department will be opposing these bills, because there is no scientific evidence to decide otherwise. The use of leghold traps is well regulated. Furthermore, it is a scientific supported solution for wildlife management. For example, the State’s otter relocation relies on leghold traps to catch these animals and relocate them unharmed to a previous extirpated area. This is a tool intended to capture and hold animals until a trapper or researcher or biologist comes along.
  - 9) HB 572 Crossbow Hunting: This bill would require the Department to make a crossbow legal archery equipment. We currently issue crossbow permits to individuals with a physician certification that the individual is unable to use conventional archery equipment. We are trying to streamline the processing of the crossbow permits.
  - 10) HB 629 – Moratorium: This bill would prohibit the Department from taking lethal measures against black bears and to include the Moratorium of black bear hunting through 2009 calendar year. The Black Bear Task Force provided a series of recommendations to the Department in their final report.
  - 11) HB 475 Regulation of Domesticated Reindeer: Last year, the deer team introduced and adopted regulations restricting the movement, importation and possession of cervids; therefore, responding to the Chronic Wasting Disease (CWD). The regulations were consistent with almost every other state, in order to limit the potential spread or impact on our deer herd. We submitted the regulations through

the emergency process and the regulations were in place right before the Christmas holiday season.

The reindeer community wanted to take reindeer from the Natural Resources Article and place reindeer under the jurisdiction of the Maryland Department of Agriculture. However, the Maryland Department of Agriculture supported our decision; therefore, the agencies are on the same page.

- Questions and Answers

- 1) Vice Chair Adams asked if the law specifies "No Sunday Hunting?"
  - (a) Yes, the bill states no hunting on Sundays (legislative mandate) with some exceptions.
- 2) Vice Chair Adams asked could the language reflect to allow it at the DNR discretion and have it go through the regulatory process, in doing so we would not have a law that states no Sunday hunting.
  - (a) We are trying to make the ecological argument to harvest more deer, give the authority to the Department. This will allow us to have the flexibility and balance to handle some of these cultural issues and law enforcements issues.
  - (b) Hopefully, this bill will be amended to specifically say, "Sunday Hunting is legal. The Secretary has the authority to adopt regulations."
- 3) Vice Chair Adams asked is there any support for Sunday hunting from Maryland Sportsmen Association (MSA) or the Sportsmen Caucus.
  - (a) Some of the Sportsmen Caucus representatives were in agreement in giving the Department authority.
- 4) Vice Chair Adams asked how many states ban or regulate the use of leghold traps.
  - (a) Massachusetts, New Jersey, California, and Washington have banned the use of leghold traps, but every state has some form of regulations on the use of leghold traps.
- 5) Commissioner King asked as a result of the problems Massachusetts had by outlawing leghold traps, was there any response from the anti-trapping community towards the increase number of animals.
  - (a) The lawmakers noted that their agency needed to be more creative in dealing with these problems.
  - (b) They have several suggestions:
    - (i) Live traps technique
    - (ii) Contraception is still being researched
- 6) Vice Chair Adams asked how are Maryland's regulations on leghold traps compared with other states and are there things that Maryland should be doing better from a regulatory nature.
  - (a) The feedback mechanism we use to make these decisions have been adequate for us to make a defensible decision.
    - (i) The Hunter Survey produces substantial body of data for us to make decisions.
    - (ii) This year, we started the Bowhunter Observation Survey, which other states have been using. That survey will provide us with a new source of baseline data.
  - (b) For the past five years, we had fifteen citations issued for trap violations. Most were minor citations. The law enforcement data shows that we do not have a lot of trapping violations, and the overall restrictions in place is sufficient enough.
  - (c) Our Fur Resources Advisory Committee supported the mandate for trapper education. The trapper education is a good idea; this is one of the elements that we would like to add as a requirement for trappers.

- Comment

- 1) In the past, this Commission has written letters of support, letters of opposition, and letters of recommendations, and these documents are a great source of information for us to be able to explain what the views of the Wildlife Advisory Commission are.

### **State Forest and Park Service Update**

- Mr. Bob Beckett, Chief Resources Management of State Forest and Park Service (SFPS) presented an update on four major topics:
  - 1) There were successful deer management hunts in six facilities without any significant incident occurring.
  - 2) We applied for the Resident Goose Depredation Permit; our current permit expires at the end of February. We use a comprehensive management program that includes non-lethal and lethal methods.
  - 3) Our staff and some of the rangers had been trained to handle bears using aversive conditioning at our State facilities.
  - 4) Each year, we receive requests from different parks to trap muskrats and/or beavers. A wildlife representative does an assessment as to determine if there is a need to control the muskrats and/or beavers. Currently, we have Erosional damage, problems with flooded footpaths and with flooded bicycle paths, and damaged culverts in our Southern Region. Once we receive an assessment from the wildlife representative, then the Superintendent has authority to issue a permit or not issue a permit to trap muskrats and/or beavers at that particular facility.

### **Natural Resources Police Update**

- Presentation Sergeant Richardson
- Sgt. Richardson's last day reporting to Wildlife Advisory Commission. Sgt. Richardson's replacement is Sgt. Lloyd Ingerson. Sgt. Ingerson has been with NRP for eighteen years. Currently, he works out of the Gwynnbrook Office.
- NRP December Monthly Report [Attachment A]
  - 1) In Carroll County, officers conducted routine checks at a local butcher shop and they found three untagged deer in a cold box. The individual has been charged with a violation.
  - 2) In Baltimore County, officers served a search warrant and black bear parts were seized. The investigation is continuing.
  - 3) In Somerset County, a hunter shot a Siberian Husky that he claimed was a coyote. The hunter was charged with malicious destruction of property and negligent hunting. Also in Somerset County, officers responded to a report of a hunting accident. Officers arrived at the scene and it was determined that it was not an accident but a suicide.
  - 4) In Saint Mary's County, officers worked with USFW agents. Five subjects have been charged for taking eleven illegal geese over the legal limit.
- Questions and Answers
  - 1) Vice Chair Adams asked if the bear was killed in Baltimore County.
    - (a) Sgt. Ingerson commented that the bear was killed in the summertime in Garrett County.
    - (b) The information took some time to develop and a confidential informant came forward.
- NRP January Monthly Report [Attachment B]
  - 1) In Worcester County, two waterfowl hunters were cited for hunting over bait.
  - 2) In Kent County, two people were charged for hunting geese on Sunday.
  - 3) In Anne Arundel County on the Severn River, officers located a baited area and cited three subjects for hunting over bait and exceeding the legal bag limit of Canada geese.
  - 4) In Saint Mary's County, a hunter was cited for exceeding the legal limit of Canada geese.
  - 5) In Howard County, officers apprehended four individuals for hunting in a restricted area of the Patapsco Valley State Park. One of the subjects killed a deer with a firearm during a closed season.
  - 6) In Talbot and Queen Anne's counties, officers issued several citations for exceeding the legal limit of Canada geese.
  - 7) In Washington County, officers cited several taxidermists for having expired licenses and incomplete ledger reports.
  - 8) Commissioner Lamp sent Sgt. Richardson a copy of an article from a local newspaper regarding a deer that got stranded in the Chesapeake Harbor in Anne Arundel County. Commissioner Lamp had a picture of one of our officers herding the unharmed deer back to shore.

### **MSA Update**

- No report

### **Maryland Farm Bureau Report**

- No report

### **Old Business**

- Reschedule the discussion of a WAC subcommittee on urban wildlife issues for the March meeting.
- Vice Chair asked what was the outcome of the testing of cervids for Chronic Wasting Disease (CWD).
  - 1) We took 250 samples in five counties and all the samples have been sent to the South East Disease Study Group in Atlanta, Georgia.
    - (a) Hopefully, we will have the results back by next month.
    - (b) The testing is being done to show that CWD is not present in Maryland
  - 2) Commissioner King asked if CWD has been found in reindeer.
    - (a) No, it has not been found in reindeer and that is the reason why the reindeer community is upset. Reindeer is a cervid.
    - (b) There is a lot we do not know about CWD. For that reason, it is important that Natural Resources take precautions because this disease is relatively new.
  - 3) Commissioner King asked how big is the reindeer industry and can we have some compromise agreement with the deer industry and the Department? Commissioner King also asked if the herd is confined, can you inoculate the herd and have them permitted in the State?

- (a) We reviewed that option. There is no test other than testing on a dead animal to provide information as whether a deer has CWD or not.
- (b) Pennsylvania's regulations allow individuals to export from Pennsylvania, so long as the state they are importing to provides written permission. In doing so, Pennsylvania has put the responsibility on the state it is going to.
- (c) We do know what type of impact CWD has and we are talking about 100's of millions of dollars. Even though we do not know what the reindeer industry would bring into the State, we feel it will be a small amount compared to what CWD would cost should it enter the State and affect our deer herd and native wildlife.
- (d) The Department will continue down this path until a vaccine is provided or until we are told otherwise.
- 2003 Draft Agenda [Attachment C]
  - 1) Standardized the meeting dates to every third Wednesday of the month.
  - 2) The month of May will be listed as optional.
  - 3) We will eliminate the Game Program, Preliminary regulations proposals, and Commercial Guide Regulations because they occur on a biannual basis.
  - 4) Added the Habitat Conservation Program Report and Conservation Reserve Enhancement Program (CREP) to the agenda. Associate Director Jonathan McKnight will do the presentation.
    - (a) Commissioner Dollar asked would Jonathan McKnight be able to discuss how the new administration may affect the State CREP. Yes, we should have more details by April and we will have the recommendations from the CREP Advisory Committee.
  - 5) Director Peditto may move the programs around depending on what is going on.
- Consensus Reached
  - 1) Commissioners agreed to have the WAC meeting on every third Wednesday of the month.

**New Business**

- 1) No new business

There being no further business, the meeting was adjourned at 11:15 a.m.

**Attendance**

Members:	L. Adams, C. Dollar, M. King,
Guests:	
Staff:	B. Beckett, B. Beyer, S. Bittner, K. Blizzard, G. Brewer, T. Broll, B. King, L. Ingerson, P. Peditto, S. Richardson, T. Spencer
Absent:	G. Fratz, W. Freeland, C. Garner, R. Gregory, K. Jones, T. Lambert, J. Lamp